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(not for service)

January 6, 2021

Via ECF

Hon. Barbara Moses
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

MEMO ENDORSED

Re: Josefina S. v. The City of New York
17 CV 7661 (AJN)(BM)

Dear Judge Moses:

I am an Assistant Corporation Counsel assigned to represent Defendant City of New York ("Defendant") in the above-referenced matter in which Plaintiffs allege, *inter alia*, that the New York City Administration for Children's Services (ACS) discriminates against parents with intellectual disabilities. I write with the consent of Plaintiffs' counsel to respectfully request a new date for the second pre-settlement conference currently scheduled for January 21, 2021.

After the Court granted the parties' joint request for an adjournment of the pre-settlement conference (ECF Dkt. No. 115), I learned that Dr. Angel Mendoza, the Chief Medical Officer at ACS, has a conflict on January 21, 2021 and thus cannot attend. As Dr. Mendoza participated in the first pre-settlement conference held on November 17, 2020, Defendant requests a new date for the second pre-settlement conference so that Dr. Mendoza may once again participate. Plaintiffs' counsel consents to this request and confirmed their availability.

The parties, as well as Dr. Mendoza, are available the following dates and times:

- January 25, 2021: before 11 a.m.
- January 26, 2021: after 12 p.m.
- January 27, 2021: after 1 p.m.
- January 28, 2021: after 12 p.m.

In the event that these dates and times are inconvenient for the Court, the parties are available on a later date and time that is convenient to the Court. Please note, however, that Plaintiffs' counsel is unavailable on January 29, 2021 and that Dr. Mendoza is currently unavailable on Thursday mornings and Monday afternoons due to his clinical engagements.

Thank you for your consideration of this request and for your continued assistance with this matter.

Respectfully,

/s/ Rosemary C. Yogiaveetil
Rosemary C. Yogiaveetil
Assistant Corporation Counsel

cc: **Via ECF**
All counsel of record

Application GRANTED. The pre-settlement conference currently scheduled for January 21, 2021 at 10:00 a.m. is hereby ADJOURNED to **January 26, 2021 at 12:00 noon**. The dial-in information and attendance requirements remain the same. (See Dkt. No. 110.) In advance of the conference, and no later than **January 21, 2021**, the parties shall submit a confidential joint settlement status letter via email to Moses_NYSDChambers@nysd.uscourts.gov, updating the Court on the status of settlement negotiations, and which issues remain unresolved. SO ORDERED.



Barbara Moses, U.S.M.J.
January 7, 2021